

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

PRECIOUS SILVA and JONATHAN SILVA,

Plaintiffs,

v.

No. 1:21-cv-740 RB/KRS

TRISTAR PRODUCTS, INC., *et al.*,

Defendants.

ORDER GRANTING MOTION TO STAY DISCOVERY

THIS MATTER is before the Court on the Motion to Stay Discovery Proceedings, (Doc. 15), filed by Defendants Kohl's and Tristar. Plaintiffs filed a response to the Motion, (Doc. 18), and Defendants Kohl's and Tristar filed a reply, (Doc. 21). Defendants Kohl's and Tristar seek a stay of discovery until the remaining Defendant, Zhongshan Jinguang Household Appliance Manufacture Co., Ltd., appears in the case or is dismissed. Plaintiffs oppose a stay of discovery due to delays in serving a foreign corporation. The Court held a hearing on the Motion to Stay Discovery on January 25, 2022, at which counsel for Plaintiffs and Defendants Kohl's and Tristar appeared and presented oral argument. For the reasons stated on the record, the Court finds that the Motion to Stay Discovery is well-taken and shall be granted.

IT IS THEREFORE ORDERED that the Motion to Stay Discovery Proceedings, (Doc. 15), is GRANTED and discovery is stayed in this case until Defendant Zhongshan has entered the case or is dismissed. The Court will enter an order for Plaintiffs to file monthly status reports on their efforts to serve Defendant Zhongshan, and the Court will set a scheduling conference once all parties are in the case.

IT IS SO ORDERED.



KEVIN R. SWEAZEA
UNITED STATES MAGISTRATE JUDGE